

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
SOUTHERN DIVISION**

**NANCY MARTIN and,
MARY BETH BRACKIN,**

PLAINTIFFS,

vs.

CASE NO. 1:05CV1172-F

**CITY OF DOTHAN; JUDGE ROSE
EVANS-GORDON, officially, and in
her individual capacity; CITY OF
DOTHAN POLICE DEPARTMENT;
CHIEF JOHN POWELL, Chief of
Dothan Police Department, in his
official capacity,**

DEFENDANTS.

MOTION TO SEVER CLAIMS

Come now the Defendants City of Dothan; City of Dothan Police Department, and Chief John Powell, Chief of Dothan Police Department, in his official capacity, pursuant to Federal Rules of Civil Procedure 20(a) and move this Honorable Court to sever the claims of Plaintiffs' Martin and Brackin on the grounds that Plaintiffs fail to state claims arising out of the same transaction, occurrence, series of transactions or occurrences, or common questions of fact required for proper joinder.

Respectfully submitted this 4th day of January, 2006.

s/ F. Lenton White
F. Lenton White (WHI035)
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(334) 615-3130

CERTIFICATE OF SERVICE

I hereby certify that I have this 4th day of January, 2006, served a
copy of the foregoing on the following by placing same in the United States

Mail properly addressed with adequate postage:

Ishmael Jaffree
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s/ F. Lenton White
Of Counsel